



RESTRICTION REQUIREMENT SUMMARY

The Examiner has required restriction of claims 1 – 66 to a single invention in accordance with 35 U.S.C. §121. Claims 1 – 66 were subjected to a Restriction Requirement as follows:

Group I: claims 1 – 54 are asserted to be drawn to providing animated web layers;

Group II: claims 55 – 61, 63 and 64 are asserted to be drawn to a teaser clip followed by a link;

and

Group III: claims 62, 65 and 66 are asserted to be drawn to charging an advertiser based on ad display time.

Response

Applicants provisionally elect to continue prosecution of the claims of Group II (claims 55 – 61, 63 and 64) and respectfully traverse the Examiner's restriction with respect to Groups I and III. The basis of this traversal is that examination of all of Groups I – III would not require over-burdensome searching on the part of the Examiner.

At the Examiner's disposal are powerful electronic search engines providing the Examiner with the ability to quickly and easily search all of the claims pending in the present application. Considering that the Examiner will most likely undertake a search for the method of presenting an animated web page, as recited in the claims of Group I, a method for presenting an advertisement on a web page, as recited in the claims of Group II, and a method for charging for display of an advertisement, as recited in the claims of Group III, a search of all of the claims would be minimally burdensome on the Examiner in view of the fact that all Groups share similar features.

Moreover, given the overlapping subject matter and identical classifications of the Groups, examinations of all the claims would not pose a serious burden because the searches would be coextensive.

Furthermore, the Applicant has paid a filing fee for an examination of all of the claims in this application. If the Examiner refuses to examine the claims paid for when filing this application and persists in requiring that the Applicant file divisional applications for each of the groups of claims, the Examiner would essentially be forcing applicants to pay duplicative fees for the non-elected or withdrawn claims, inasmuch as the original filing fees for the claims (which would be later prosecuted in divisional applications) are not refundable.

In view of the foregoing, Applicant respectfully requests that the Examiner reconsider and withdraw the restriction requirement, and to examine all of the claims pending in this application.

CONCLUSION

In light of the foregoing, Applicant respectfully requests the Examiner to conduct a first substantive examination of the application.

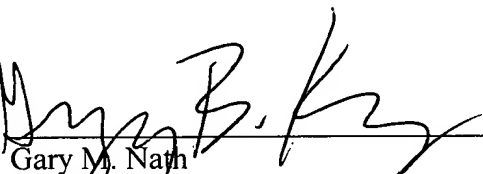
If the Examiner has any questions or comments regarding this matter, he is welcomed to contact the undersigned attorney at the below-listed number and address.

Respectfully submitted,
NATH & ASSOCIATES PLLC

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